

ORIGINAL

OPEN MEETING AGENDA-ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION  
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COMMISSIONERS

KRISTIN K. MAYES, Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

IN THE MATTER OF

WACHOVIA SECURITIES, LLC  
One North Jefferson Avenue  
St. Louis, Missouri 63103

WACHOVIA CAPITAL MARKETS, LLC  
301 South College Street  
Charlotte, North Carolina 28288-0601

RESPONDENTS.

DOCKET NO. S-20655A-09-0071

**PROCEDURAL ORDER**  
**GRANTING TEMPORARY**  
**ADMISSION PRO HAC VICE**

**BY THE COMMISSION:**

On March 16, 2009, a Notice of Appearance was filed in this docket stating that Keith Beauchamp of the law firm Lewis and Roca LLP and Douglas L. Kelly of Wachovia Securities, LLC, will appear in this action as counsel of record for Respondents Wachovia Securities, LLC and Wachovia Capital Markets, LLC.

Also filed on March 16, 2009, was Mr. Beauchamp's Motion and Consent of Local Counsel for Temporary *Pro Hac Vice* Admission of Douglas L. Kelly. The Motion requested, pursuant to Arizona Supreme Court Rule 38, that Douglas L. Kelly be granted temporary admission *pro hac vice* in the above-captioned matter ("Motion"). Mr. Beauchamp agreed to serve as designated local counsel for the above-captioned matter.

According to the Motion, Mr. Kelly desires to appear on behalf of his clients, Wachovia Securities, LLC and Wachovia Capital Markets, LLC, at the Commission Open Meeting scheduled for Thursday, March 19, 2009. The Motion included a copy of Mr. Kelly's verified Application for Appearance *Pro Hac Vice* filed with the State Bar of Arizona; a copy of his certificate of good standing from the state in which he has been admitted to practice law; and indication that the application fee has been paid to the State Bar of Arizona.

On March 17, 2009, the Commission's Securities Division filed its Response to the Motion, indicating that it has no objection to the Motion.

Accordingly, for good cause shown and pursuant to Rule 38(a)3, the request for temporary admission *pro hac vice* admission is reasonable and should be granted, provided that the completion of the application procedures occurs within 45 days of this procedural order.

IT IS THEREFORE ORDERED that the request for temporary admission *pro hac vice* of Douglas L. Kelly to appear before the Commission is hereby granted.

IT IS FURTHER ORDERED that Douglas L. Kelly's address for service of papers and other communication shall be:

Douglas L. Kelly  
WACHOVIA SECURITIES  
One North Jefferson Ave  
St. Louis, MO 63103

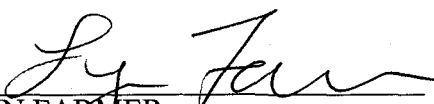
IT IS FURTHER ORDERED that the address for service of papers and other communication for the Arizona-licensed attorney designated as local counsel, Keith Beauchamp, shall be:

Keith Beauchamp  
LEWIS & ROCA, LLP  
40 N. Central Avenue  
Phoenix, AZ 85004

IT IS FURTHER ORDERED that Douglas L. Kelly shall complete the application procedures within 45 days of the date of this procedural order.

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation to appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge.

DATED this 17<sup>th</sup> day of March, 2009.

  
LYN FARMER  
CHIEF ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered  
2 this 17th day of March, 2009 to:

3 Douglas L. Kelly  
4 WACHOVIA SECURITIES  
5 One North Jefferson Ave  
6 St. Louis, MO 63103

7 Keith Beauchamp  
8 LEWIS & ROCA, LLP  
9 40 N. Central Avenue  
10 Phoenix, AZ 85004

11 Matt Neubert, Director  
12 Securities Division  
13 ARIZONA CORPORATION COMMISSION  
14 1300 West Washington Street  
15 Phoenix, Arizona 85007

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By:



Debbi Person  
Assistant to Lyn Farmer